

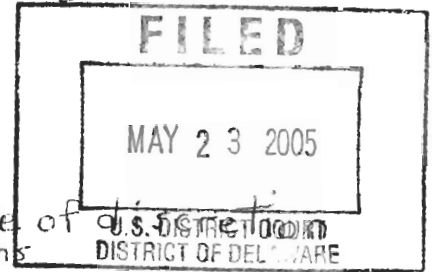
United States District Court  
District of Delaware

May 20, 2005

Harry Samuel  
vs.

doc # 3

CA 05-0037-SLR

Thomas Carroll (warden)  
et al.RE: Classification Committee Abuse of discretion  
and in support of Statement of Claims

Samuel argue that on 3-21-02 (exhibit B-1) I was up graded to level 6 and was to be up graded to level 7 But instead of up grade to level 7 I was Return to former level 6 status (exhibit A1). Then 5-22-02 at my classification I was classified to Med/HC Treatment into Kitchen (exhibit B-2) (still level 6) and I have worked this treatment into Kitchen for about over two years (see exhibit A-10 and exhibit A-11) Then about September 7-04 I get off work and the other workers was moved to another workers Tier except me. I was left on the old workers tier which was just transformed to Max/MHU Then Counselor Kramer came to my cell and said to me you are now in Max/MHU and your Kitchen Job is gone and handed me Exhibit A-14. I appealed Exhibit A-14 I did not get a response to my appeal (exhibit A-15) instead I was moved to Building 18 on the Isolation Tier for a week Then I was put in the SHU/Max (exhibit C-1 and exhibit C-2) after 6 months in SHU/Max Counselor Zanda and <sup>AT</sup>porter told me because I have not had any write ups in 6 months I was classified out of SHU/Max and to Med. HC (medium High custody) to Building 22 or 23 (see new Exhibit 24) But instead of being move out of SHU/Max to 22 or 23 I was move to Building 21 and put back into MHU/Max back to exhibit A-14. Exhibit 24 is where I was in Treatment into Kitchen (see exhibit B-2) and was classified to Compound (Exhibit A-13) after exhibit B-2. But put in max/MHU instead of the compound (Exhibit A-14)

at my last classification (Exhibit 2) I was classified to Med. HC, TFC, M U Because: Time remaining on sentence, Serious nature of offense and you present a current and continuous danger to the safety of staff, other inmates or the good order of the Institution. with no explanation (exhibit 24)

Samuel argue that for the above reasons Because: I am serving right now 8 years for a assault in a detention facility which is the time remaining on the offense, I have other offenses of which I am not serving a sentence yet. none the less my points is under the Classification regulations and requirements of the point system which is used to govern how serious the nature of the offense. My offense only ranks at 4 points which is the point system requirement for Minimum. This abuse of discretion is no reason to keep me in Maximum, no matter how much I complete treatment I am put in Max just for a offense that happened 12 years ago. 17 points is Maximum status not 4 points. I completed levels 1, 2, 3, 4, 5, 6 and next classified to the Compound (exhibit A-13) But for no reasonable reason I was deprived, disciplined, punished, etc. and down graded from Compound exhibit A-13 all the way down to SHU/Max level 1 (one) exhibit C-1, C-2.

conclusion:

I request to be moved to minimum to have a chance to prove and redeem myself, and monetary relief and Time off my sentence.

May 20, 2005

Inmate  
Harry L. Samuel  
SBI #00201360

Service list  
I Harry Samuel served these documents RE:  
classification committee Abuse of discretion and in support  
of statement of claims letter/motion and Exhibit 24. To the  
opposing counsel at:

To. Loren C. Meyers, Esq.

Department of Justice  
820 North French Street  
Carvel office Building  
Wilmington, DE, 19801

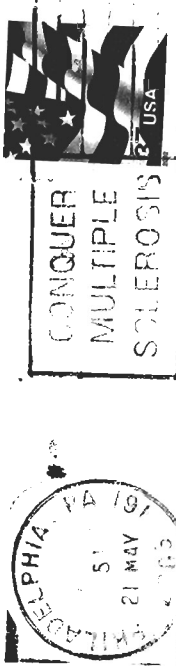
By handing to correctional officer to mail in center mailing  
system.

The above is correct.

May 20, 2005

Inmate  
Harry Samuel  
SBI, #00201360  
21 C 7 L  
D.C.C.

IM Harry Samuel  
SBI# 00201360 UNIT 21C 7L  
DELAWARE CORRECTIONAL CENTER  
118 DAWDOCK ROAD  
SMITH DELAWARE 19977



To: The Clerk  
United States District Court  
844 N. King Street, Lockbox 18  
Wilmington, Delaware  
19801-3570

13501+3515 